

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

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In re:

**Archie Clyde Chavis and Wanda Chavis**

a/k/a Wanda Crooks

**Case No. 09-81611**

S.S. Nos.: xxx-xx-0085 and xxx-xx-4059

Mailing Address: 1137 Landon Street, Durham, NC 27703-

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Debtors.

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**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on September 17, 2009.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: October 5, 2009

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

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John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 8/25/09

Lastname-SS#: Chavis-0085

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

## SURRENDER COLLATERAL

Creditor Name	Sch D #	Description of Collateral

Creditor Name	Description of Collateral

## ARRIARAGE CLAIMS

## REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Sch D #	Arrearage Amount	(See †)
			**
			**
			**
			**
			**
			**
			**
			**
			**

Creditor Name	Description of Collateral

## LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## STD - SECURED DEBTS @ FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			6.00			
			6.00			
			6.00			
			6.00			

## STD - SECURED DEBTS @ 100%\*

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
910-GMAC	1	\$7,563	6.00	\$76	\$221.05	2004 Chevrolet Tracker
NPMSI-Home Credit	2	\$4,528	6.00	\$26	\$132.35	2001 Cadillac
			6.00			
			6.00			
			6.00			

## ATTORNEY FEE (Unpaid part)

Amount

Law Offices of John T. Orcutt, P.C.

\$2,800

## SECURED TAXES

Secured Amt

IRS Tax Liens

Real Property Taxes on Retained Realty

## UNSECURED PRIORITY DEBTS

Amount

IRS Taxes

State Taxes

Personal Property Taxes

Alimony or Child Support Arrearage

## CO-SIGN PROTECT (Pay 100%\*)

Int. Rate

Payoff Amt

All Co-Sign Protect Debts (See\*)

## GENERAL NON-PRIORITY UNSECURED

Amount\*\*

DMI=

None(\$0)

None(\$0)

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **\$352** per month for **51** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **33.62** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE

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Ch13Plan\_MD\_(New\_DeSardi) (6/24/09) © John T. Orcutt

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Charlene Free

Charlene Free

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Credit Financial Services  
Post Office Box 451  
Durham, NC 27702-0451

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

Absolute Collection Service \*\*  
421 Fayetteville Street Mall  
Suite 600  
Raleigh, NC 27601

CSDDUR  
Post Office Box 530  
Durham, NC 27702-0530

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Arrow Services  
5996 West Touhy Avenue  
Niles, IL 60714

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Bank of America  
Post Office Box 15128  
Wilmington, DE 19850

Durham Regional Hospital  
Post Office Box 91040  
Durham, NC 27708-1040

Internal Revenue Service\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Capital One  
Post Office Box 85015  
Richmond, VA 23285-5015

Foxfire Apartments  
c/o Collectron  
2046 West Park Place Blvd.  
Suite H  
Stone Mountain, GA 30087

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Capital One \*\*\*  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

GMAC \*\*  
P.O. Box 380901  
Bloomington, MN 55438-0901

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Care Credit  
c/o GE Money Bank  
Post Office Box 981127  
El Paso, TX 79998-1127

Home Credit Corporation  
Post Office Box 15695  
Durham, NC 27704

Innovis Data Solutions  
Attn: Consumer Assistance  
P.O. Box 1534  
Columbus, OH 43216-1534

Chance Hart  
3100 N. Roxboro Street  
Durham, NC 27704

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

Macy's  
9111 Duke Blvd  
Mason, OH 45040

NC State Employees  
900 Wade Avenue  
Raleigh, NC 27611

US Dept. of Education  
Post Office Box 7202  
Utica, NY 13504-7202

NCO Financial Systems  
Post Office Box 3500  
Jackson, MI 49204-3500

Verizon NJ  
236 E Town St.  
Columbus, OH 43512

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Podiatry Foot & Ankle Institute  
20 Prospect Avenue  
Suite 803  
Hackensack, NJ 07601

Security Collection Agency\*\*  
Post Office Box 910  
Edenton, NC 27932

Sprint  
c/o Enhanced Recovery Corp.  
10550 Deerwood Park Blvd.  
Suite 600  
Jacksonville, FL 32256

Sprint  
c/o Pentagraph  
5959 Corporate Drive  
Houston, TX 77036

T-Mobile\*\*  
Bankruptcy Department  
Post Office Box 37380  
Albuquerque, NM 87176-7380